REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1, 4, 9-14, 16, 19, 28-30, 32, 35 and 44-45 were pending prior to the Office Action. In this Reply, claims 28-29 and 44-45 are cancelled and claims 46-52 are added. Therefore, claims 1, 4, 9-14, 16, 19, 30, 32, 35 and 46-52 are pending. Claims 1, 4, 9, 11, 12, 14 and 30 are independent.

FORM 1449 ACKNOWLEDGMENT REQUESTED

Applicant has not yet received initialed copies of the PTO-1449 forms for the Information Disclosure Statements filed on September 7, 2000 and August 4, 2003. Applicant respectfully requests that such forms be provided.

§ 102 REJECTION – KASUYA

Claims 9 and 10 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Kasuya (USP 6,134,390). Applicant respectfully traverses.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. *See M.P.E.P. 2131; M.P.E.P. 706.02.* Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Kasuya fails to teach or suggest each and every claimed element. For example, independent claim 9 recites, in part, "wherein the control part comprises a position single fixing device which fixes, when executing the control based on the view angle correction function, a value of position signal outputted to the controller to a value representing a position of the zoom lens before executing the control based on the view angle correction function."

First, the Examiner alleges that the position detector 7 as disclosed in Kasuya is equivalent to the position fixing device as claimed. However, Kasuya merely discloses that the position detector 7 reports the current position of the zoom lens. Kasuya is entirely silent regarding whether the position detector 7 fixes, when executing control based on the view angle

correction function, a value of position signal outputted to the control to a value representing a position of the zoom lens before executing the control based on the view angle correction. Thus, contrary to the Examiner's allegation, the position detector 7 cannot be equivalent to the position fixing device as recited.

In addition, the feature recited above solves the problem that the position control is initiated for returning the position of the zoom lens to the shot position in performing the view angle correction after executing the shot function, when it detects that the zoom lens is moved by the view angle correction.

Contrary to the Examiner's allegation, Kasuya may not be relied upon to teach or suggest at least this function. Kasuya is directed to a reducing or eliminating change of photo taking angle of view caused by focusing without necessitating any changes or modifications of the optical and mechanical arrangements of the zoom lens.

However, Kasuya is entirely silent regarding the shot function as defined in the claims. Then it logically follows that Kasuya cannot teach or suggest any relationship between the shot function and the view angle correction function.

For at least the above stated reasons, independent claim 9 is distinguishable over Kasuya. Claim 10 depends from independent claim 9. Therefore, for at least the reasons stated with respect to claim 9, claim 10 is also distinguishable over Kasuya.

Applicant respectfully requests that the rejection of claims 9 and 10 based on Kasuya be withdrawn.

§ 103 REJECTION – KASUYA, UCHIDA

Claim 1 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kasuya in view of Uchida (USP 5,929,904). Applicant respectfully traverses.

For a Section 103 rejection to be proper, a *prima facie* case of obviousness must be established. *See M.P.E.P. 2142.* One requirement to establish *prima facie case* of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. *See M.P.E.P. 2142; M.P.E.P. 706.02(j).* Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, independent claim 1 recites, in part, "wherein when the controls to be executed in the control part are overlapped at the same time, the control part selects one of the controls to execute in accordance with a predetermined selection process." The Examiner did not even address whether this feature is taught or suggested by Kasuya and Uchida, individually or in combination.

Indeed, it is clear that Kasuya and Uchia cannot be relied upon to teach or suggest this feature. In the lens system of claim 1, a view angle correction function and at least one of a shot function and a limit function are provided. The view angle correction function is validated when the shot function moves the lens to the shot position and stops, and a control to select a predetermined process is executed when the controls to be executed are overlapped at the same time. This configuration solves at least the problem of, "When the zoom lens moves to the shot position by the control based on the shot function, the zoom lens stops at the shot position and therefore, view angle correction cannot be executed."

In contrast, Kasuya merely discloses a lens having a view angle correction function and Uchida merely discloses a lens having a shot function. Kasuya and Uchida are both entirely silent regarding whether or not when the controls to be executed are overlapped at the same time, the controls are executed in accordance with a predetermined selection process.

In addition, claim 1 recites, in part, "When the zoom lens moves to and stops at a shot position by the control based on the shot function, the control part validates the control based on the view angle correction function." As noted above, Kasuya does not even contemplate the shot function. Thus, it is clear that Kasuya cannot be relied upon to teach or suggest validating the control based on the view angle correction function after the zoom lens moves to the shot position by the control based on the shot function.

The Examiner alleges that column 1, lines 60-64 teaches this feature. The relied upon portion merely states, "Further, in particular, the lens driving control apparatus is provided with storage means for storing data necessary in computing a lens moving amount of the zoom part for correcting a change of angle of view resulting from driving of the focusing lens part." The relied upon portion merely states that a storage is provided to store data to enable view angle correction to be performed when the focusing lens is moved.

There is nothing in the relied upon portion that may be reasonably or even unreasonably interpreted to disclose any type of relationship between the view angle correction and shot function. Uchida has not been, and indeed cannot be relied upon to correct for at least this deficiency of Kasuya.

Therefore, independent claim 1 is distinguishable over the combination of Kasuya and Uchida. Applicant respectfully requests that the rejection of claim 1 based on Kasuya and Uchida be withdrawn.

§ 103 REJECTION – KASUYA, UCHIDA, MASUNAGA

Claims 4, 14, 16, 19, 28-30, 32, 35 and 44-45 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kasuya in view of Uchida and further in view of Masunaga et al. (USP 5,838,368). Applicant respectfully traverses.[1]

In this instance, independent claim 4 recites in part, "Wherein the control part executes the control based on the limit function prior to the view angle correction function in a case where the zoom lens moves to an outside of a limit position based on the limit function by executing the control based on the view angle correction function." The Examiner admits that neither Kasuya nor Uchida may be relied upon to teach or suggest this feature. However, the Examiner alleges that Masunaga teaches this feature.

Contrary to the Examiner's allegation, Masunaga may not be so relied upon. The lens system of claim 4 is based on the premise that the limit function which restricts moving of the zoom lens within an arbitrary range between a wide photo end and a telephoto end is provided. Thereby, the zoom lens is controlled so as not to exceed the restricted range. The claim as recited has the feature that if the zoom lens is near the limit position, the zoom lens is controlled so as not to exceed the restricted range when the control based on the view angle correction function is executed. In the Office Action, the Examiner alleges that column 26, line 26, to column 27, line 6 and column 27, lines 7-15 of Masunaga teaches the above cited feature. A

[1] In the Office Action, the Examiner alleges that the feature of "wherein the control of the movable lens includes a control of a zoom lens" and the feature of "Wherein the zoom lens moves to and stops at a shot position by the control based on the shot function, the control part validates the control based on the view angle function" are

closer reading of the relied upon portion of Masunaga merely indicates that one of panning, tilting and zooming elements can be designated in preference by means of a priority designating device. The designating device is arranged to output a panning position priority designation signal, a tilting position priority designating signal, or a zoom position priority designation signal.

However, Masunaga is silent regarding any relationship between the view angle correction function and the limit function. Thus, contrary to the Examiner's allegation, Masunaga cannot be relied upon to teach or suggest the above recited feature. Therefore, for at least the above stated reason, claim 4 is distinguishable over the combination of Kasuya, Uchida and Masunaga.

Regarding independent claim 14, the claim recites, in part, "Wherein the controller is configured to perform the shot function prior to performing the view angle correction function when the shot function is activated." Again, the Examiner admits that neither Kasuya nor Uchida can be relied upon to teach or suggest this feature, but alleges that Masunaga teaches such a feature. It has been clearly demonstrated that Masunaga cannot be so relied upon.

Therefore, for at least the above stated reason, independent claim 14 is also distinguishable over the combination of Kasuya, Uchida and Masunaga.

Independent claim 30 recites, in part, "Controlling a movement of a zoom lens according to a priority of performing in a view angle correction function and at least one of a limit function and a shot function." As demonstrated above, none of Kasuya, Uchida and Masunaga, individually or in any combination, may be relied upon to teach or suggest at least this feature. Therefore, independent claim 30 is distinguishable over the combination of Kasuya, Uchida and Masunaga.

Claims 16, 19, 28, 32 and 35 depend from independent claims 14 or 30 directly or indirectly. Therefore, for at least the reasons stated with respect claims 14 and 30, these dependent claims are also distinguishable over the combination of Kasuya, Uchida and Masunaga.

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disclosed by Kasuya. *See* Office Action, page 10. These features are not recited in claim 4, and thus are not relevant to the discussion regarding claim 4.

Applicant respectfully requests that the rejection of claims 4, 14, 16, 19, 28-30, 32, 35 and 44-45 based on Kasuya, Uchida and Masunaga be withdrawn.

§ 103 REJECTION – YU, KASUYA

Claims 11-13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yu (USP 5,434,621) in view of Kasuya. Applicant respectfully traverses.

As an example, independent claim 11 recites, in part, "Wherein the controller has a limit function for obtaining, from the control part, a position signal representing a position of the zoom lens and for restricting a moving range of the zoom lens so that the zoom lens does not move to an outside of a predetermined limit position based on the position signal." In the Office Action, the Examiner alleges that column 5, lines 20-44 and column 6, lines 3-15 of Yu teaches this feature.

A closer inspection of the relied upon portions of Yu merely indicate that once the distance between an object and the camera is detected, both the focus lens and the zoom lens are controlled to maintain a view angle. Rom 70 stores data for a plurality of zoom track lines so that the zoom angle may be maintained. As illustrated in Figure 4, regardless of the distance of the object from the camera, the zoom lens is allowed to move the entire range. In other words, no matter the distance of the object, maintaining a constant view angle requires that the zoom lens be moved from the telephoto end to the wide photo end. Thus, contrary to the Examiner's allegation, Yu cannot be relied upon to teach or suggest the feature of restricting a moving range of the zoom lens as recited above.

Independent claim 11 also recites, in part, "Wherein the control part comprises a limit position determining device which determines the limit position by changing a value of the position signal being outputted from the control part to the controller from a value representing an actual position of the zoom lens and detecting a change of the control signal outputted from the controller with respect to the changed value of the position signal." In the Office Action, the Examiner alleges that the zoom encoder 20 and the zoom motor drive 90 as illustrated in Figure 3 of Yu are equivalent to the control part as claimed. However, it is clear that neither the zoom

motor driver 90 nor the zoom encoder 20 performs the function of a limit position determining device as recited above.

The Examiner also alleges that the microcomputer 80 is equivalent to the limit position determining device as recited. However, on its face, the position taken by the Examiner is inconsistent. On one hand, the Examiner alleges that the microcomputer 80 is equivalent to the controller to teach or show the feature of the controller and then inconsistently alleges that the microcomputer 80 is part of the control part to teach or show the features of the control part as recited. In other words, the Examiner is alleging that the microcomputer 80 is a part of the zoom encoder 20 and one zoom motor driver 90. Clearly, they are all separate as disclosed in Yu.

Further, the Examiner states, "When the object being captured moves or the photographer moves, the camera [of Yu] detects the zoom lens is out of position or outside of the limit and corrects the viewing angle by moving the zoom lens. " The Examiner's logic is flawed. Yu merely discloses that the zoom lens is moved in relation to the distance of the object to the camera so that a constant viewing angle may be maintained. Yu does not put any restriction on the range of movement of the zoom lens. Therefore, there is no limit position determining device disclosed in Yu as recited above. Thus, even if it is taken at face value that the microcomputer 80 can somehow be interpreted to be part of a control part, the feature of the limit position determining device cannot be taught or suggested by Yu. Kasuya has not been, and indeed cannot be, relied upon to correct for at least the above stated deficiencies of Yu. Therefore, independent claim 11 is distinguishable over the combination of Yu and Kasuya.

Independent claim 12 recites, in part, "Wherein the control has a limit function for obtaining, from the control part, a position signal representing a position of the zoom lens and for restricting a moving range of the zoom lens so that the zoom lens does not move to an outside of a predetermined limit position based on the position signal" and "a limit position determining device which determines the limit position by changing a value of the position signal being outputted from the control part to the controller from a value representing an actual position of the zoom lens and detecting a change of the control signal outputted from the controller with respect to the changed value of the position signal." Contrary to the Examiner's allegation, it has

been amply demonstrated above that the combination of Yu and Kasuya cannot be relied upon to teach or suggest at least these features. Therefore, independent claim 12 is distinguishable over the combination of Yu and Kasuya.

Claim 13 depends from independent claim 12. Therefore, for at least the reasons stated above with respect to independent claim 12, claim 13 is also distinguishable over the combination of Yu and Kasuya.

Applicants respectfully request that the rejection of claims 11-13 based on Yu and Kasuya be withdrawn.

NEW CLAIMS

Claims 46-54 are added through this Reply. All new claims are believed to be distinguishable over the cited references, individually or in any combination. It is noted that the new claims depend from the remaining pending independent claims 1, 4, 9, 11, 12, 14 and 30. It has been amply demonstrated that the independent claims are distinguishable over the cited references in any combination Therefore, the new claims are also distinguishable over the cited art of record.

Applicant respectfully requests that the new claims be allowed.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a one (1) month, extension of time to August 7, 2005 for filing a reply in connection with the present application. The required fee of $120.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: August 8, 2005

Respectfully submitted,

By _____

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